

3/3/23 1:05 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA

In RE: Shaunden S. Bish,
Debtor

Case No. 19-22277-GLT

Shaunden S. Bish,

DD No.

Movant

v.

Related to Docket No. 110

Office of the US Trustee, Ronda J Winnecour
Chapter 13 Trustee, Peritus Portfolio Services
LLC,

Respondents

ORDER OF COURT

AND NOW, to wit, this ____ 3rd Day of March _____, 2023,

the Debtor represents that he needs to obtain financing for purchase of a motor vehicle, as his current transportation (a 2010 Chevrolet Traverse) is no longer usable and would be cost-prohibitive to repair. After discussion between the debtor and the chapter 13 Trustee, both the debtor and Trustee have agreed to appropriate terms and conditions for vehicle financing.

This Court also finds the Debtor is authorized to obtain financing, with court permission, pursuant to 11 USC §§105 and 364.

Therefore, based on the representations of Debtor and the consent of the Chapter 13 Trustee and Peritus Portfolio Servicing, it is hereby ORDERED, ADJUDGED, and DECREED as follows::

1. Debtor is authorized to obtain financing for the purchase of a replacement vehicle on the following terms:
 - a. the total amount of financing **shall not exceed \$25,000;**
 - b. Interest rate shall not exceed 21%;

c. Term of financing shall not exceed 72 months; and

d. The monthly payment under financing shall not exceed \$500 per month.

2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the chapter 13 plan**. Within 14 days of securing such financing, Debtors shall file:

(a) an amended chapter 13 plan, or if consent between all affected parties is obtained, a stipulated Order modifying the Debtor's Plan; and

(b) a report of financing.

2. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the chapter 13 trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

3. If the Debtor is unable to obtain financing within 60 days of the date of this Order, the Debtor shall file a Status report, indicating either

a. The Debtor is continuing to seek financing, or

b. The Debtor has abandoned her efforts to seek financing.

4. Notwithstanding the inclusion of the postpetition loan within an amended chapter 13 plan, the underlying terms of the loan shall not be modified absent the consent of the party providing post-petition financing, as identified in the report of financing.

5. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to any party providing post-petition financing, as identified by the Report of financing, for the contract amount so long as sufficient supplemental funds are provided by

Debtors.

6. Peritus Portfolio Services LLC is the holder of the account of the 2010 Chevrolet Traverse, Claim No. 18. Peritus has determined it does not want to retain the vehicle, and instead surrender title for the same to the debtor. Therefore, the claim of Peritus will be marked as SATISFIED, and the trustee is to stop any further payments to Peritus. The debtor is authorized to use the 2010 Chevrolet Traverse as part of his financing, if so desired.

7. Debtor shall serve copies of this *Order* on all creditors eligible to receive distributions through the chapter 13 plan and file proof of the same with the Court.


Honorable Gregory L. Taddonio
U.S. Bankruptcy Judge

The Court is approving the terms in paragraph 6 of the Order upon the representation that Peritus Portfolio Services, LLC has consented to the terms of this order.

CONSENTED TO BY:

/s/ Justin P. Schantz
Justin P. Schantz, Esq.
Counsel for the Debtor

/s/ Kate DeSimone
Kate DeSimone, Esq.
Office of the Chapter 13 Trustee

/s/ Gary Perdue, President

For Peritus Portfolio Services LLC

In re:
Shaunden S Bish
Debtor

Case No. 19-22277-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Mar 03, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 05, 2023:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: peritus@ebn.phinsolutions.com	Mar 04 2023 00:01:00	PERITUS PORTFOLIO SERVICES LLC, PO BOX 141419, Irving, Tx 75014-1419

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 05, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 3, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor LAKEVIEW LOAN SERVICING LLC cwohrlab@raslg.com
Justin P. Schantz	on behalf of Plaintiff Shaunden S Bish jschantz@my-lawyers.us colecchia542@comcast.net;sshibley@my-lawyers.us;skerr@my-lawyers.us;rjuliano@my-lawyers.us;tkonop@my-lawyers.us
Justin P. Schantz	on behalf of Debtor Shaunden S Bish jschantz@my-lawyers.us colecchia542@comcast.net;sshibley@my-lawyers.us;skerr@my-lawyers.us;rjuliano@my-lawyers.us;tkonop@my-lawyers.us
Lorraine Gazzara Doyle	on behalf of Creditor Lakeview Loan Servicing LLC. ldoyle@logs.com, diane@mvrllaw.com;bankruptcy@friedmanvartolo.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov

District/off: 0315-2

User: auto

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Date Rcvd: Mar 03, 2023

Form ID: pdf900

Total Noticed: 1

Robert P. Wendt

on behalf of Creditor LAKEVIEW LOAN SERVICING LLC pawb@fedphe.com

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

Thomas Song

on behalf of Creditor LAKEVIEW LOAN SERVICING LLC pawb@fedphe.com

TOTAL: 10